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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/054,548	01/18/2002	William Ho Chang	FLEX 2402	7172
7812	7590	12/14/2005	EXAMINER	
SMITH-HILL AND BEDELL, P.C. 16100 NW CORNELL ROAD, SUITE 220 BEAVERTON, OR 97006			MILIA, MARK R	
			ART UNIT	PAPER NUMBER
			2622	

DATE MAILED: 12/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/054,548

Applicant(s)

CHANG ET AL.

Examiner

Mark R. Milia

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 January 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Drawings

1. Figures 1A, 1B, 4A, and 4B should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: In Fig. 1A, reference character "140", Fig. 2A, reference character "202", Fig. 2B, reference character "204", and Fig. 10, reference character "1010". Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top

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margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

3. The disclosure is objected to because of the following informalities: On page 44, paragraph 60, line 2, reference is made to element "720", but no reference character "720" is found in the Figures. Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-4 and 6-20 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6798530 to Buckley et al.

Regarding claim 1, Buckley discloses an information apparatus for managing outputting of content to an output device, the content accessible at least partly by the information apparatus, the information apparatus comprising: a communication unit to communicate with the output device (see Fig. 2 and column 5 lines 12-36), a user interface for interacting with a user (see Figs. 1-6 and column 5 lines 24-28), means for establishing a communication channel between the information apparatus and the output device (see Fig. 2 and column 5 lines 37-49), means for receiving over the communication channel one or more components associated with the output device enabling the content to be rendered by the output device (see Figs. 1 and 3-5, column 4 lines 13-38, and column 6 lines 24-50), means for conforming at least part of the content into one or more output images with said one or more components (see Figs. 1-5, column 4 lines 13-38, column 6 line 24-column 7 line 3, column 7 lines 35-67, and column 8 line 61-column 9 line 35), means for generating an intermediate output data including said one or more output images and for rendering by the output device (see column 7 lines 14-20), and means for delivering the intermediate output data to the output device for rendering (see Fig. 2 and column 7 lines 14-20, reference shows that a user sends a document to the printer driver that is then converted into printer data and printer control data that will be used to render the image, the types of objects to be printed can be graphics, bitmaps, or text, and a mixed raster content technique can also be used, all of this is analogous to the claim limitations and is therefore anticipated by the reference).

Regarding claim 6, Buckley discloses an information apparatus content to an output device, the by the information apparatus, the for managing the outputting of content accessible at least partly information apparatus comprising: a communication unit to communicate with one or more output devices (see Fig. 2 and column 5 lines 12-36), a user interface for interacting with a user (see Figs. 1-6 and column 5 lines 24-28), means for obtaining one or more device dependent attributes associated with the output device (see Figs. 3-5, column 4 lines 13-38, and column 6 lines 24-50), means for conforming at least part of the content into one or more output images with said one or more device dependent attributes, at least part of said one or more output images including mixed raster content encoding (see Figs. 1-5, column 4 lines 13-38, column 6 line 24-column 7 line 3, column 7 lines 35-67, and column 8 line 61-column 9 line 35), means for generating an intermediate output data including said one or more output images (see column 7 lines 14-20), and means for delivering the intermediate output data to the output device for rendering (see Fig. 2 and column 7 lines 14-20).

Regarding claim 13, Buckley discloses an information apparatus capable of outputting content to an output device; the content accessible at least partly by the information apparatus, the information apparatus comprising: a communication unit to communicate with an output device (see Fig. 2 and column 5 lines 12-36), a user interface for interacting with a user (see Figs. 1-6 and column 5 lines 24-28), means for establishing a communication channel between the information apparatus and the output device with short range wireless communication (see Fig. 2 and column 5 lines 37-49), means for conforming at least part of the content into at least one output image

with at least one predefined standard rasterization parameter values (see Figs. 2-5, column 4 lines 13-38, column 7 lines 35-67, and column 8 lines 7-13, reference shows that a user can change the settings for an object that is to be rendered by defining rasterization values such as color and halftone settings as well as the fact that default rendering settings are used when no selection is made), means for generating an intermediate output data including the one or more output image, the intermediate output data being at least partly device independent (see column 7 lines 14-20), and means for delivering via the established communication channel the intermediate output data to the output device for rendering (see Fig. 2 and column 7 lines 14-20).

Regarding claim 2, Buckley discloses the system discussed in claim 1, and further discloses managing outputting of content to an output device selected from a plurality of output devices, wherein the communication unit communicates with said plurality of output devices, and the apparatus includes means to select an output device from said plurality of output devices (see Figs. 2 and 6 and column 9 lines 1-16).

Regarding claim 3, Buckley discloses the system discussed in claim 1, and further discloses in which the one or more components includes one or more of a rasterization vector, a price indicator, an availability indicator, a status indicator, an output data format indicator, and a quality of service indicator (see Figs. 3-6 and column 4 lines 13-38).

Regarding claim 4, Buckley discloses the system discussed in claim 1, and further discloses the communication channel includes a wireless communication channel (see column 5 lines 37-49).

Regarding claim 7, Buckley discloses the system discussed in claim 6, and further discloses the means for obtaining one or more device dependent attributes includes means for obtaining from one or more sources that includes a user input, a network server, a default value stored in the information apparatus, and from the output device (see Fig. 2, column 6 lines 24-50, and column 8 lines 10-13).

Regarding claim 8, Buckley discloses the system discussed in claim 6, and further discloses means for establishing a wireless communication with one or more output devices (see column 5 lines 37-49).

Regarding claim 9, Buckley discloses the system discussed in claim 8, and further discloses means for obtaining over the communication channel an output device profile that includes the device dependent attributes (see column 6 lines 24-50 and column 7 lines 21-34).

Regarding claims 11 and 19, Buckley discloses the system discussed in claims 6 and 13, and further discloses in which the means for conforming includes means for conforming at least part of the content into at least one output image by one or more of a rasterization operation, a scaling operation, an interpolation operation, and a compression operation (see column 7 lines 14-20 and column 9 lines 26-36, reference shows that a user selects a number of parameter settings that are utilized by the printer driver during the conversion of object data into print data and print control data that is sent to the output device for rendering).

Regarding claim 12, Buckley discloses the system discussed in claim 6, and further discloses the mixed raster content data includes at least a foreground layer (see column 9 lines 26-36).

Regarding claim 14, Buckley discloses the system discussed in claim 13, and further discloses wherein the communication unit communicates with a plurality of output devices and the information apparatus includes means for selecting an output device of said plurality to receive the intermediate output data (see Figs. 2 and 6 and column 9 lines 1-16).

Regarding claim 15, Buckley discloses the system discussed in claim 13, and further discloses obtaining over the communication channel an output device means for profile (see column 6 lines 24-50 and column 7 lines 21-34).

Regarding claim 16, Buckley discloses the system discussed in claim 13, and further discloses means for obtaining over the communication channel information related to the intermediate output data format (see column 7 lines 14-20, and column 8 line 61-column 9 line 16).

Regarding claim 18, Buckley discloses the system discussed in claim 13, and further discloses in which the predefined standard rasterization values is included in the information apparatus (see Figs. 2-5, column 4 lines 13-38, column 7 lines 35-67, and column 8 lines 7-13, reference shows that a user can change the settings for an object that is to be rendered by defining rasterization values such as color and halftone settings as well as the fact that default rendering settings are used when no selection is made).

Regarding claim 20, Buckley discloses the system discussed in claim 13, and further discloses in which the means for conforming conforms at least part of the content into an output image that includes mixed raster content encoding (see column 9 lines 26-36).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 5, 10, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buckley as applied to claims 1, 8, and 13 above, and further in view of U.S. Patent No. 6434535 to Kupka et al.

Buckley does not disclose expressly means for sending payment information over the communication channel as compensation for the rendering of the content by the output device.

Kupka discloses means for sending payment information over the communication channel as compensation for the rendering of the content by the output device (see Fig. 1, column 3 line 53-column 4 line 3, column 7 line 48-column 8 line 7, and column 14 lines 3-16).

Buckley & Kupka are combinable because they are from the same problem solving area, distribution of electronic data.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the sending of payment information, which is well known and used in the art, as described by Kupka with the system of Buckley.

The suggestion/motivation for doing so would have been to accurately calculate and collect payment for services rendered (data rendered).

Therefore, it would have been obvious to combine Kupka with Buckley to obtain the invention as specified in claims 5, 10, and 17.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. To further show the state of the art refer to the attached Notice of References Cited.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark R. Milia whose telephone number is (571) 272-7408. The examiner can normally be reached M-F 8:00am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached at (571) 272-7402. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mark R. Milia
Examiner
Art Unit 2622

MRM


